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**TITLE 326 AIR POLLUTION CONTROL BOARD**

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**SECOND NOTICE OF COMMENT PERIOD**

LSA Document #09-476

**DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING PARTICULATE MATTER AND SULFUR DIOXIDE EMISSION LIMITATIONS AT CARGILL, INCORPORATED****PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for amendments to rules at [326 IAC 6.8](#) and [326 IAC 7](#) concerning the particulate matter and sulfur dioxide emission limitations at Cargill, Incorporated (Cargill) in Hammond, Indiana. By this notice, IDEM is soliciting public comment on the draft rule language. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking.

**HISTORY**

First Notice of Comment Period: July 1, 2009, Indiana Register (DIN: [20090701-IR-326090476FNA](#)).

**CITATIONS AFFECTED:** [326 IAC 6.8](#); [326 IAC 7](#).

**AUTHORITY:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#).

**SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING****Basic Purpose and Background**

Cargill owns and operates corn processing and oilseed processing facilities that produce a number of value-added products including vegetable oil, starch, sweeteners, germ, ethanol, and animal feed. Production of these products results in emissions of regulated air pollutants including nitrogen oxide (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), particulate matter (PM), volatile organic compounds (VOCs), and hazardous air pollutants (HAPs).

Cargill Texturizing Solutions, located in Hammond, Indiana, is one of Cargill's Food Ingredients Business Units. Cargill Texturizing Solutions supplies texturizers and emulsifiers to the food and beverage industry, as well as the pharmaceutical and cosmetics markets.

Cargill entered into a consent decree, lodged in the United States District Court in Minneapolis, Minnesota, with U.S. EPA and certain state and local regulatory agencies on September 1, 2005. This consent decree will result in a reduction of approximately 30,000 tons of pollution a year and set new standards for limiting harmful emissions from specialty oilseed plants. Pursuant to the consent decree, Cargill, through installation of pollution control technologies and implementation of emission reduction projects (including emission unit elimination) was required to demonstrate 90% control efficiency or less than or equal to 20 parts per million (ppm) concentration of SO<sub>2</sub> for the Germ Dryer (124-A-01) and the Gluten Dryer System (121-01-G). Cargill was required to test the Carbon Regen Furnace (104-01-R) while operating at an average pH range of the Germ Dryer (124-A-01) and the Gluten Dryer System (121-01-G) to establish an emission rate for SO<sub>2</sub>. Cargill was also required to test the Fiber Dryer and Drying Equipment (89-01-G) while operating at the approved operating range set forth in the consent decree to establish an emission rate for SO<sub>2</sub>.

In addition, pursuant to Paragraph 27 of the consent decree, Cargill was required to submit a formal request with IDEM to amend rule [326 IAC 7-4.1-5](#) to incorporate new SO<sub>2</sub> emission limits for the Germ Dryer (124-A-01), Gluten Dryer System (121-01-G), Carbon Regen Furnace (104-01-R), and Fiber Dryer and Drying Equipment (89-01-G).

The Germ Dryer First Stage (21-A-02), Germ Dryer Second Stage (51A-02), Rotary Feed Dryer (89-03), and the Waxy Feed Drum Dryer (124-01) were removed from the facility's Part 70 Operating Permit by Significant Permit Modification 089-25259-00203, issued on June 9, 2008. Furthermore, Boilers 6, 7, 8, and 10 were required by Significant Permit Modification 089-22333-00203 to be decommissioned once Package Boiler #1 became operational. The initial start-up of Package Boiler #1 was on February 2, 2007, and Boilers 6, 7, 8, and 10 have ceased operation and have been permanently decommissioned. In Cargill's currently pending Part 70 Operating Permit renewal, Cargill has requested that Boilers 6, 7, 8, and 10 be removed from the permit.

In this rulemaking, IDEM proposes to amend Cargill's SO<sub>2</sub> emission limitations listed in [326 IAC 7-4.1-5](#) to incorporate the new SO<sub>2</sub> emission limits that were set in the consent decree and to remove the emissions units that are no longer in operation at Cargill. In addition, IDEM proposes to amend, for clarification purposes, the PM emission limitations listed at [326 IAC 6.8-2-8](#) to strike from the draft rule language those units Cargill has shut down. Upon completion of the rulemaking, this rule will be submitted to the U.S. EPA for approval as a revision to the state implementation plan.

[IC 13-14-9-4](#) **Identification of Restrictions and Requirements Not Imposed under Federal Law**

No element of the draft rule imposes either a restriction or a requirement on persons to whom the draft rule applies that is not imposed under federal law.

#### **Potential Fiscal Impact**

The amendments to Cargill's SO<sub>2</sub> emission limitations will incorporate the new SO<sub>2</sub> emission limits that were set in the consent decree. These changes have already occurred at Cargill; therefore, no additional economic impact will occur from the implementation of these amendments.

The amendments to update Cargill's PM emission limitations are for clarification purposes to reflect the fact that some of the listed emissions units are no longer in operation at Cargill. Therefore, IDEM does not expect any economic impact from the implementation of these amendments.

#### **Small Business Assistance Information**

IDEM established a compliance and technical assistance (CTAP) program under [IC 13-28-3](#). The program provides assistance to small businesses and information regarding compliance with environmental regulations. In accordance with [IC 13-28-3](#) and [IC 13-28-5](#), there is a small business assistance program ombudsman to provide a point of contact for small businesses affected by environmental regulations. Information on the CTAP program, the monthly CTAP newsletter, and other resources available can be found at:

<http://www.in.gov/idem/4108.htm>

Small businesses affected by this rulemaking may contact the Small Business Regulatory Coordinator:

Alison Surface

IDEM Compliance and Technical Assistance Program - OPPTA

MC 60-04 IGCS W041

100 North Senate Avenue

Indianapolis, IN 46204-2251

(317) 232-8172 or (800) 988-7901

[ctap@idem.in.gov](mailto:ctap@idem.in.gov)

The Small Business Assistance Program Ombudsman is:

Brad Baughn

IDEM Small Business Assistance Program Ombudsman

MC 50-01 IGCN 1307

100 North Senate Avenue

Indianapolis, IN 46204-2251

(317) 234-3386

[bbaughn@idem.in.gov](mailto:bbaughn@idem.in.gov)

#### **Public Participation and Workgroup Information**

No workgroup is planned for the rulemaking. If you feel that a workgroup or other informal discussion on the rule is appropriate, please contact Manda Clevenger, Rule and State Implementation Plan Development Section, Office of Air Quality at (317) 232-8229 or (800) 451-6027 (in Indiana).

#### **SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD**

IDEM requested public comment from July 1, 2009, through July 31, 2009, on alternative ways to achieve the purpose of the rule and suggestions for the development of draft rule language. IDEM received no comments in response to the first notice of public comment period.

#### **REQUEST FOR PUBLIC COMMENTS**

This notice requests the submission of comments on the draft rule language, including suggestions for specific revisions to language to be contained in the draft rule. Mailed comments should be addressed to:

#09-476 (APCB) Cargill PM & SO<sub>2</sub> Emission Limitations

Manda Clevenger Mail Code 61-50

Rule and State Implementation Plan Development Section

Office of Air Quality

Indiana Department of Environmental Management

100 North Senate Avenue

Indianapolis, Indiana 46204

Hand delivered comments will be accepted by the receptionist on duty at the tenth floor reception desk, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana.

Comments may be submitted by facsimile at the IDEM fax number: (317) 233-5967, Monday through Friday, between 8:15 a.m. and 4:45 p.m. Please confirm the timely receipt of faxed comments by calling the Rule and State Implementation Plan Development Section at (317) 234-6530.

#### **COMMENT PERIOD DEADLINE**

Comments must be postmarked, faxed, or hand delivered by January 22, 2010.

Additional information regarding this action may be obtained from Manda Clevenger, Rule and State

**DRAFT RULE**SECTION 1. [326 IAC 6.8-2-8](#) IS AMENDED TO READ AS FOLLOWS:**[326 IAC 6.8-2-8](#) Cargill, Inc.****Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#)**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 8. (a) Cargill, Inc., in Lake County, source identification number 00203, shall meet the following emission limits:

Source	Stack Number	Emission Limits	
		lbs/hr	gr/dscf
<del>Stack serving boiler numbers 6 and 7</del>	<del>10-03-U-P and 10-04-U</del>	<del>30.3</del>	
<del>Stack serving boiler numbers 8 and 10</del>	<del>10-05-U-P and 10-06-U</del>	<del>22.7</del>	
Corn syrup solids dust collection system number 2	<del>18-03-R-P</del> <b>18-03-R</b>	0.30	0.01
<del>Receiver for first stage germ dryer</del>	<del>21A-01-G</del>	<del>0.12</del>	<del>0.015</del>
<del>First stage germ dryer exhaust</del>	<del>21A-02-G</del>	<del>0.67</del>	<del>0.01</del>
Corn screening system	30-16-G	0.06	0.01
Corn receiving and storage-bin vent #5	33-01-G	0.171	0.02
Corn receiving and storage-bin vent #6	33-02-G	0.171	0.02
Corn cleaner	33-03-G	0.21	0.01
Batch scale hopper #1	34-01-S	0.04	0.01
Dextrin starch reactor #1	34-02-S	0.180	0.01
Dextrin starch cooler #1	34-03-S	0.042	0.01
Surge hopper #1	34-05-S	0.11	0.01
Dextrin feed hoppers: 1 and 2 (System 1)	34-06-S and 34-07-S	0.030	0.01
Dextrin starch cooler	34B-01-S	0.042	0.01
Surge hopper #2	34B-03-S	0.114	0.01
Dextrin starch reactor #2	34B-04-S	0.179	0.01
Dextrin feed hoppers: 3 and 4 (System 2)	34B-05-S and 34B-06-S	0.030	0.01
Batch scale hopper No. 2	34B-13-S	0.067	0.01
Dextrin bulk loading equipment	48-09-S	0.26	0.01
<del>Receiver for second stage germ dryer</del>	<del>51A-01-G</del>	<del>0.19</del>	<del>0.02</del>
<del>Second stage germ dryer exhaust</del>	<del>51A-02-G</del>	<del>1.01</del>	<del>0.015</del>
Starch milling system number 1	59-01-S	0.43	0.01
Starch milling system number 2	59-02-S	0.43	0.01
Starch ring dryer number 2	59-03-S	3.50	0.006
Fiber drying equipment	89-01-G	4.50	0.01
<del>Rotary feed dryer</del>	<del>89-03-G</del>	<del>4.5</del>	<del>0.03</del>
Dried corn syrup conveying system, frodex	93-04-W	0.069	0.01
Corn syrup solids conveyor equipment	93-05-W	0.066	0.01
Frodex semibulk packing system, building 93	93-08-W	0.083	0.01
Each stack serving bag dump numbers 1 and 2	93-09-W and 93-10-W	0.10	0.01
Starch bulk loading	93-14-W	0.273	0.01
Starch vacuum clean-up system	93-15-W	0.021	0.01
Starch mixing and bagging system #1	93-16-W	0.130	0.01
Starch mixing and bagging system #2	93-17-W	0.264	0.01
New corn syrup spray dryer cooler system number 3 (SIP #2)	100-01-R	4.96	0.015
#4 corn syrup spray dryer	100-03-R	4.2	0.01
Carbon regeneration furnace #2	104-01-R	0.728	0.015
Soda ash tank	104-02-R	0.154	0.02
Filter aid hopper	104-03-R	0.044	0.02
Sodium bisulfate bag dump	104-05-R	0.080	0.02

Each stack serving bulk corn starch storage bin numbers 20 through 36 (five (5) stacks may operate at one (1) time)	120-01-S to 120-17-S	0.56	0.01
Gluten dryer system	121-01-G	3.0	0.03
<del>Waxy feed drum dryer scrubber</del>	<del>124-01-G</del>	<del>41.12</del>	<del>0.03</del>
<del>Waxy feed milling equipment</del>	<del>124-22-G</del>	<del>0.054</del>	<del>0.04</del>
Germ dryer/cooler	124A-01-G	1.852	0.02
Starch ring dryer number 3	125-01-S	3.50	0.006
Waxy bulk cornstarch storage bins numbers 95 through 98 (only one (1) may operate at a time)	126-01-S to 126-04-S	0.16	0.01
<del>BCD dryer, building 127</del>	<del>127-01-B</del>	<del>0.57</del>	<del>0.04</del>
#1 and #2 vacuum cleaner system	127-21-B and 127-22-B	0.031	0.01
#1 and #2 <del>BCD storage hopper</del> <b>alternate carbohydrate storage bins</b>	<del>127-23-B and 127-24-B</del> <b>127-28-B and 127-29-B</b>	0.18	0.01
<del>BCD</del> <b>Alternate carbohydrate</b> mill feeder hopper	<del>127-25-B</del> <b>127-30-B</b>	0.028	0.01
Special starch process with starch dryer number 4, building 128	128-01-S	3.5	0.01
Four products blending systems, building 93	<del>130-01-S-P</del> <b>130-01-S</b> to 130-04-S	0.42	0.01
Dextrin blender	130-05-S	0.248	0.01
Corn receiving and storage-bin vent #1 and #2	140-01-G and 140-02-G	0.343	0.02
Corn receiving and storage-bin vent #3 and #4	140-03-G and 140-04-G	0.343	0.02
Corn dump pit	140-05-G	1.286	0.01
Gravity take-up conveyor system	140-06-G	0.154	0.01
Corn elevator conveying	140-07-G	0.086	0.01

~~(b) Boiler number 1 and boiler number 2 shall fire natural gas only.~~

(Air Pollution Control Board; [326 IAC 6.8-2-8](#); filed Aug 10, 2005, 1:00 p.m.; 28 IR 3509; filed Jan 23, 2008, 1:44 p.m.; [20080220-IR-326040279FRA](#))

SECTION 2. [326 IAC 7-4.1-5](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 7-4.1-5](#) Cargill, Inc. sulfur dioxide emission limitations**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 5. (a) Cargill, Inc., Source Identification Number 00203, shall comply with the sulfur dioxide emission limits in pounds per million British thermal units (MMBtu) and pounds per hour as follows:

~~(1) Boilers 6, 7, 8, and 10 shall be limited to one and four thousand three hundred seventy five ten thousandths (1.4375) pounds per MMBtu and five hundred eighty four (584) pounds per hour for all four (4) boilers.~~

~~(2) By one (1) year from the effective date of this rule, other emissions units shall be limited as follows:~~

Emissions Unit Description	Emissions Unit Identification	Emission Limit lbs/hour
<del>(A) (1)</del> Gluten Dryer System	121-01-G	<del>9.13</del> <b>0.68</b>
<del>(B) Waxy Feed Drum Dryer</del>	<del>124-01</del>	<del>2.28</del>
<del>(C) (2)</del> Fiber Dryer and Drying Equipment	89-01-G	<del>9.13</del> <b>3.95</b>
<del>(D) Rotary Feed Dryer</del>	<del>89-03</del>	<del>6.85</del>
<del>(E) Germ Dryer 1<sup>st</sup> Stage</del>	21-A-02	<del>1.14</del>
<del>(F) Germ Dryer 2<sup>nd</sup> Stage</del>	51-A-02	<del>1.14</del>
<del>(G) (3)</del> Germ Dryer	124-A-01	<del>9.13</del> <b>0.77</b>
<del>(H) (4)</del> Carbon Regen Furnace	104-01-R	<del>4.57</del> <b>0.11</b>
<del>(I) (5)</del> Biogas Flare	800-04-E	<del>9.13</del>

(b) Cargill, Inc. shall

- ~~(1) maintain records of average sulfur content, fuel oil usage, and boiler operating load for each hour in which any boiler operates on fuel oil;~~
- ~~(2) submit a report to the department within thirty (30) days after the end of each calendar quarter containing the records listed in subdivision (1) and a calculation of the total sulfur dioxide emissions from Boilers 6, 7, 8, and 10 for each hour; and~~
- ~~(3) submit a quarterly report of the twelve (12) month rolling total of all sulfur dioxide emissions in tons per year.~~

*(Air Pollution Control Board; [326 IAC 7-4.1-5](#); filed May 25, 2005, 10:50 a.m.: 28 IR 2956)*

[Notice of Public Hearing](#)

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